

SAO 247 (02/08) Order Regarding Motion for Sentence Reduction

RECEIVED UNITED STATES DISTRICT COURT
 USDC, WESTERN DISTRICT OF LA
 ROBERT H. SHERWELL, CLERK
 DATE 3, 4, 08
GB for the
 Western District of Louisiana

United States of America)
 v.)
 Charles Ray Burton) Case No: 95-60048-01
) USM No: 09147-035
 Date of Previous Judgment: 10/26/2000) Federal Public Defender
 (Use Date of Last Amended Judgment if Applicable)) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 211 months is reduced to 174 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>34</u>	Amended Offense Level: <u>32</u>
Criminal History Category: <u>III</u>	Criminal History Category: <u>III</u>
Previous Guideline Range: <u>188</u> to <u>235</u> months	Amended Guideline Range: <u>151</u> to <u>188</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

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III. ADDITIONAL COMMENTS

The sentence reduction ordered above is subject to the prohibition found in U.S.S.G. 1B1.10(b)(2)(C).
 Additionally, a ten (10) day STAY is imposed on this Order.

Except as provided above, all provisions of the judgment dated 10/26/2000 shall remain in effect.

IT IS SO ORDERED.Order Date: 03/03/2008

Effective Date: 03/12/2008
 (if different from order date)

Richard T. Haile
 Judge's signature

RICHARD T. HAILE, SR., CHIEF
 Printed name and title
JUDGE